

REMARKS/ARGUMENTS

Favorable reconsideration of this application, in view of the present amendments and in light of the following discussion, is respectfully requested.

Claims 17-26 and 28 are pending. In the present amendment, Claim 17 is amended; and no claims are added or canceled herewith. Support for the present amendments can be found in the original specification, for example at page 8, lines 9-12, and in Fig. 4. Thus, it is respectfully submitted that no new matter is added by this amendment.

In the outstanding Office Action, Claims 17, 18, 24, and 26 were rejected under 35 U.S.C. § 102(b) as anticipated by Bertaccini (U.S. Patent No. 4,147,455); Claim 19 was rejected under 35 U.S.C. § 103(a) as unpatentable over Bertaccini in view of Recalde (U.S. Patent No. 5,533,834); and Claims 20-23, 25, and 28 were rejected under 35 U.S.C. § 103(a) as unpatentable over Bertaccini.

Turning now to the rejections under 35 U.S.C. § 102(b) and 35 U.S.C. § 103(a) based on Bertaccini and Recalde, Applicants respectfully request reconsideration of these rejections and traverse these rejections, as discussed below.

It is respectfully submitted that the cited references do not disclose or suggest “the tilting creates a lateral force acting on the pipelines, in relation to the weight of the pipelines and an inclination angle of the upper surfaces, which predetermines a direction of a downward transversal movement of the pipelines on the upper surfaces of the supports,” as recited in amended Claim 17.

In particular, Bertaccini discusses a system for compensating irregularities of the sea bottom by supporting the pipeline at a preselected and **fixed** elevated position. For this purpose, the system of Bertaccini includes movable means for supporting the pipeline from

beneath and for urging it upwards.¹ It is noted that the supporting system of Bertaccini completely **limits** the transversal movement of the pipeline by the combined action of the inclined surface (3) of the support and the wedge (10). In fact, the combined actions of the inclined surface (3) and of the wedge (10) assure that the placement of the pipeline remains at equilibrium, namely the resulting force acting on the pipeline is equal to zero because the reaction of the surface (3) and of the wedge (10) compensates forces generated by the lateral buckling of the pipeline.

Moreover, Bertaccini generates a system at a stable equilibrium where the forces acting on the pipeline compensate each other in the case of buckling by giving a resulting force equal to zero. Thus, the system of Bertaccini is not able to control the lateral buckling, but eliminates it in that particular position of the pipeline by preventing any kind of transversal movement of the pipeline. The “prevented” lateral buckling will then occur at a different position of the pipeline thereby introducing an unacceptable stress condition, which could lead to the failure of the pipeline.

The only movement that the pipeline experiences when resting on the support system of Bertaccini is a transversal upward movement when the wedge (10) urges the pipeline upwards. However, this is not a free movement due to lateral buckling allowed by the system. To the contrary, the movement is imposed by the system. In any case, a pipeline resting on the support system of Bertaccini never experiences a downward movement. The wedge can only rise along the inclined surface (3), but it cannot slip backwards.²

Thus, in contrast from Bertaccini, the method according to Claim 17 creates a lateral force acting on the pipeline for defining a predetermined direction of a transversal downward

¹ See Bertaccini, at col. 2, lines 4-5.

² See Bertaccini, at col. 3, lines 49-50.

(free, and not forced) movement of the pipeline on the surface of the support. In this way, a control on the lateral buckling is achieved and the pipeline does not undergo additional stress.

The present invention as recited in the claims provides a method for triggering and controlling the lateral buckling, namely a method which allows lateral buckling of the pipeline to occur, but assures that it takes place in a predefined (thus controlled) manner in order to prevent additional stress on the pipeline. The invention according to Claim 17 creates a lateral force which acts on the pipeline so as to predetermine the direction of transversal downward movement of the pipeline in the case of buckling. Particularly, the lateral force is generated by resting the pipeline on an inclined upper surface of the support.

It is respectfully submitted that this claimed method is not disclosed or suggested by the system of Bertaccini. The system of Bertaccini is not capable of generating a force which predetermines the direction of a transversal downward movement of the pipeline in case of buckling. In contrast, the support system of Bertaccini generates forces which prevent movement of the pipelines in case of buckling. Accordingly, it is respectfully requested that the rejection of Claim 17, and all claims which depend thereon, as anticipated by or unpatentable over Bertaccini, be withdrawn.

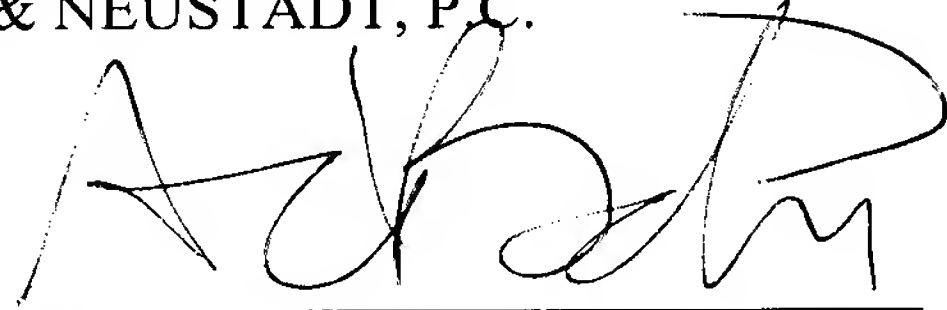
Claim 19 is dependent on Claim 17, and thus is patentable for at least the reasons discussed above with respect to Claim 17. Further, it is respectfully submitted that Recalde does not cure the deficiencies of Bertaccini with respect to Claim 17. Accordingly, it is respectfully requested that Claim 19 be allowed.

Consequently, in view of the present amendment, no further issues are believed to be outstanding in the present application, and the present application is believed to be in condition for formal allowance. A Notice of Allowance is earnestly solicited.

Should the Examiner deem that any further action is necessary to place this application in even better form for allowance, the Examiner is encouraged to contact Applicant's undersigned representative at the below listed telephone number.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Gregory J. Maier
Attorney of Record
Registration No. 25,599

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 08/07)

Adnan H. Bohri
Registration No. 62,648

GJM/AHB